

MELISSA DAVIS and CHRIS DAVIS)	
Individually and as Next Friend of their)	Case No.
minor son, ARLIS “BUCK” DAVIS,)	Jury Demand
)	
Plaintiff,)	
)	
vs.)	Judge
)	
ROBERTSON COUNTY SCHOOL)	Magistrate Judge
BOARD OF EDUCATION, and CHRIS)	
CAUSEY, Individually, and in his)	
capacity as Director of Schools for)	
Robertson County Schools,)	
Defendants.		

Defendants Robertson County School Board of Education (the “Board”) and Director Schools Chris Causey hereby file their Notice of Removal of the above-captioned action to this Court and state as follows:

1. Robertson County School Board of Education and Chris Causey are named as defendants in Case No. CH22-CV-220 filed in the Chancery Court of Robertson County, Tennessee (the “State Court Action”).

2. The Verified Complaint and Motion for Injunctive Relief in the State Court Action were filed with the Chancery Court of Robertson County, Tennessee on May 4, 2022.

3. The First Amended Verified Complaint, Motion for Injunctive Relief, and Petition for Writ of Certiorari in the State Court Action were filed with the Chancery Court of Robertson County, Tennessee on May 5, 2022

4. Defendants received a copy of the Verified Complaint and the First Amended Verified Complaint via e-mail on May 5, 2022.

5. This Notice of Removal is being filed with this Court within 30 days after Defendants received a copy of the complaint setting forth the claims upon which this removal is based. Defendants have not filed any responsive pleadings concerning this case in the Robertson County Chancery Court prior to filing this Notice of Removal.

6. Pursuant to 28 U.S.C. § 1446(a), copies of all process, pleadings, and orders filed in the State Court Action are attached hereto as **Exhibit 1**.

7. In the First Amended Verified Complaint, Motion for Injunctive Relief, and Petition for Writ of Certiorari, Plaintiffs allege that Defendants violated federal constitutional law and assert a cause of action under 42 U.S.C. § 1983.

8. A civil action is removable if the plaintiff could have originally brought the action in federal court. *See* 28 U.S.C. § 1441(a).

9. This Court has original federal question jurisdiction over the State Court Action pursuant to 28 U.S.C. section 1331, as the claim arises under the laws of the United States.

10. This Court has supplemental jurisdiction pursuant to 28 U.S.C. section 1367(a) over Plaintiffs' negligence claims because they are so related to Plaintiffs' constitutional claims that it forms part of the same case or controversy between the parties.

11. This Court is the proper venue (1441(a)) or 1446(a) because the United States District Court for the Middle District of Tennessee is the federal district court embracing the Chancery Court of Robertson County, Tennessee, where the state action was initially filed.

12. By this Notice of Removal, Defendants do not waive any defense, jurisdictional or otherwise, which it may possess.

13. Promptly after filing this Notice of Removal, Defendants will give written notice to the adverse party as required by 28 U.S.C. § 1446(d) and will file a copy of this Notice with the Robertson County Chancery Court.

WHEREFORE, Defendants requests that this Court assume jurisdiction over this action.

DATED this 3rd day of June, 2022.

Respectfully submitted,

**LEITNER, WILLIAMS, DOOLEY
& NAPOLITAN, PLLC**

By: /s/ Anthony M. Noel

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*Attorneys for Defendant Robertson County
School Board of Education*

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and exact copy of the foregoing has been served upon all parties or counsel for all parties at interest in this case by delivering a copy of said document or by placing a copy of said document in the United States Mail addressed to said parties or counsel at their last known address as listed below with sufficient postage thereon to carry the same to its destination.

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This the 3rd day of June, 2022.

By: /s/ Anthony M. Noel
Anthony M. Noel